

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

BIO-RAD LABORATORIES, INC., THE UNIVERSITY
OF CHICAGO, LAWRENCE LIVERMORE NATIONAL
SECURITY, LLC, and PRESIDENT AND FELLOWS OF
HARVARD COLLEGE,

Plaintiffs,

v.

STILLA TECHNOLOGIES, INC., and STILLA
TECHNOLOGIES,

Defendants.

C.A. No. 1:19-cv-11587-WGY

BIO-RAD LABORATORIES, INC. and PRESIDENT
AND FELLOWS OF HARVARD COLLEGE

Plaintiffs,

v.

10X GENOMICS, INC.,

Defendant.

C.A. No. 1:19-cv-12533-WGY

10X GENOMICS, INC.,

Counterclaim Plaintiff,

and

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,

Counterclaim Co-Plaintiff as to certain
claims,

v.

BIO-RAD LABORATORIES, INC.,

Counterclaim Defendant,

and

PRESIDENT AND FELLOWS OF HARVARD
COLLEGE,

Counterclaim Co-Defendant as to DJ
counterclaims.

[PROPOSED] AMENDED PRETRIAL SCHEDULE

WHEREAS the parties previously submitted a proposed pretrial schedule, which the Court has not yet approved.

WHEREAS Bio-Rad, Harvard, and 10X have continued to coordinate on the case schedule and hereby jointly propose an updated pretrial schedule that accommodates additional time for depositions of Bio-Rad's and 10X's CEOs. Stilla does not oppose the proposed updated pretrial schedule.

IT IS HEREBY ORDERED that the schedule and deadlines in Civil Action No. 1:19-cv-11587-WGY and Civil Action No. 1:19-cv-12533-WGY are amended as follows:

PRETRIAL SCHEDULE

Event	Patent Cases (10X and Stilla)¹	Antitrust Case (10X Claims)
Depositions of Norman Schwartz and Serge Saxonov	Before 2021-03-19 (Fri)	Before 2021-03-19 (Fri)
Opening Expert Reports	2021-02-05 (Fri)	2021-03-19 (Fri)
Rebuttal Expert Reports ²	2021-03-19 (Fri)	2021-04-30 (Tue)
Supplemental Patent Damages / Antitrust Reports regarding depositions of Norman Schwartz and Serge Saxonov	2021-03-23 (Tue)	2021-03-25 (Thu)

¹ The Court has not decided whether the patent portion of the 10X Case and the Stilla Case will be tried together, and the parties will have an opportunity to submit their positions on the issue. *See* 10X Case ECF No. 39 at 19; Stilla Case ECF No. 59 at 3; Stilla Case ECF No. 78; July 31, 2020 Hearing Transcript at 18:18-19:23.

² 10X proposes that the deadline for amendment of pleadings without leave of Court be March 26, 2021 for the patent case and May 7, 2021 for the antitrust case. Bio-Rad does not agree that 10X should be allowed to amend pleadings without leave of Court at this stage. To conserve the Court's and the parties' resources at this time, the parties have agreed to raise this issue with the Court later, if and when 10X attempts to file amended pleadings.

Event	Patent Cases (10X and Stilla)¹	Antitrust Case (10X Claims)
Supplemental Patent Damages Reports in response to supplemental reports regarding depositions of Norman Schwartz and Serge Saxonov	2021-03-26 (Fri)	
Close of Expert Discovery, Including Expert Depositions	2021-04-07 (Wed)	2021-05-21 (Fri)
Filing Dispositive/Daubert Motions	2021-04-14 (Wed)	2021-06-07 (Mon)
Opposition Briefs to Dispositive/Daubert Motions	2021-05-05 (Wed)	2021-06-28 (Mon)
Reply Motion Briefs	2021-05-19 (Wed)	2021-07-12 (Mon)
Hearing on Summary Judgment/Daubert	2021-05-26 (Wed) or at the Court's convenience	2021-07-19 (Mon) or at the Court's convenience
Pretrial Disclosures	2021-05-27 (Thu)	2021-07-21 (Wed)
Filing Motions in Limine	2021-05-28 (Fri)	2021-07-26 (Mon)
Opposition Briefs to Motions in Limine	2021-06-04 (Fri)	2021-08-02 (Mon)
Conference Concerning Joint Pretrial Memorandum and Settlement Conference	2021-06-10 (Thu)	2021-08-04 (Wed)
Filing Reply Briefs to Motions in Limine	2021-06-11 (Fri)	2021-08-09 (Mon)
File Joint Pretrial Memorandum	2021-06-17 (Thu)	2021-08-11 (Wed)
Final Pretrial Conference	2021-06-24 (Thu) or at the Court's convenience	2021-08-18 (Wed) or at the Court's convenience
Parties File Trial Briefs	2021-06-29 (Tue)	2021-08-25 (Wed)
Trial Ready	2021-07-06 (Tue) ³	2021-09-01 (Wed)

³ Pursuant to the Court's instruction at the July 31, 2020, Hearing, the parties note that the Court has not yet decided whether to try the inequitable conduct claims before, at the same time, or after trying the patent claims, and the parties will have an opportunity to submit their positions on the issue. 7/31/2020 Hearing Tr. at 19:19-20:8.

Dated: March 8, 2021

SO ORDERED.

/s/ William G. Young

Hon. William G. Young
District Judge